

Exhibit

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

**R. CATHY REARDON,
On behalf of herself and all
similarly situated individuals**

Plaintiffs

v.

CIVIL ACTION NO. 2:08-cv-01730

Judge Gary L. Lancaster

**CLOSETMAID CORPORATION
and EMERSON ELECTRIC CO.,**

Class Action

Defendants

DECLARATION OF LEONARD A. BENNETT

I, Leonard A. Bennett, declare:

1. My name is Leonard A. Bennett. I am over 21 years of age, of sound mind, capable of executing this declaration, and have personal knowledge of the facts stated herein, and they are all true and correct.

2. I am one of the attorneys working on behalf of the Plaintiffs in the above styled litigation, and I am an attorney and a principal of Consumer Litigation Associates, P.C., a four attorney law firm with offices in Hampton Roads, and Fairfax, Virginia. My primary office is at 12515 Warwick Boulevard, Suite 100, Newport News, Virginia 23606.

3. Since 1994, I have been and presently am a member in good standing of the Bar of the highest court of the State of Virginia, where I regularly practice law. Since 1995, I have been and presently am a member in good standing of the Bar of the highest court of the State of North Carolina. I have also been admitted to practice before and am presently a member in good standing of the Bars of the following courts:

Court:	Date Admitted:
United States Supreme Court	2005
United States Court of Appeals for the Fourth Circuit	2002
United States Court of Appeals for the Third Circuit	2007
United States Court of Appeals for the Ninth Circuit	2009
United States District Court for the Eastern District of Virginia	1994
United States District Court for the Eastern District of North Carolina	2005
United States District Court for the District of Wisconsin	2006
United States District Court for the Eastern District of Michigan	2003
United States District Court for the Northern District of Illinois	2003

I have been admitted *pro hac vice* in jurisdictions across the country including California, Florida, Rhode Island, Alabama, Texas, Hawaii, New Hampshire, Connecticut, Ohio, South Carolina, Pennsylvania, Arizona, Washington and Maryland. I have never been denied admission *pro hac vice*.

5. For well over a decade, my practice has been limited to consumer protection litigation. While my experience representing consumers has come within several areas, my most developed area of expertise is in plaintiffs litigation under the Federal Fair Credit Reporting Act. At least three-quarters of my practice is in this area. Most of my professional accomplishments have come in this field.

6. In 2003, I was invited to and did present the Congressional Testimony of the National Association of Consumer Advocates before the House Committee on Financial Services, Fair Credit Reporting Act: How it Functions for Consumers and the Economy, June 4, 2003, Proposed Amendments to the Federal Fair Credit Reporting Act, <http://financialservices.house.gov/media/pdf/060403lb.pdf>. I was again invited to present testimony before the House Financial Services Committee and did so in June 2007 http://www.house.gov/apps/list/hearing/financialsvcs_dem/osbennett061907.pdf

7. Since 2001, I have been asked to and did speak at numerous seminars and events in the area of Fair Credit Reporting and Identity Theft, or in the broader area of Consumer Protection litigation. These included the following:

2009

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, Chicago, IL, May 2009,
Multiple Panels;

2008

National Consumer Law Center, National Consumer Rights Conference, Portland, OR, Speaker for Multiple Sessions, *Fair Credit Reporting Act*, November 2008

Washington State Bar, Consumer Law CLE, Speaker, September 2008
Fair Credit Reporting Act.

2007

Washington State Bar, Consumer Law CLE, Speaker, July 2007
Fair Credit Reporting Act.

House Financial Services Committee, June 2007
Fair Credit Reporting Act.

National Consumer Law Center, National Consumer Rights Conference, Washington, D.C., Speaker for Multiple Sessions, *Fair Credit Reporting Act*, November 2007

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, Denver, Colorado, May 2007,
Multiple Panels;

U.S. Army JAG School, Charlottesville, Virginia, Course Instructor, May 2007
Fair Credit Reporting Act.

Georgia State Bar, Consumer Law CLE, Speaker, March 2007
Fair Credit Reporting Act.

2006

Contributing Author, *Fair Credit Reporting Act, Sixth Edition*, National Consumer Law Center, 2006.

National Consumer Law Center, National Consumer Rights Conference, Miami, FL, Speaker for Multiple Sessions, *Fair Credit Reporting Act*, November 2006

Texas State Bar, Consumer Law CLE, Speaker, October 2006
Federal Claims in Auto fraud Litigation

Santa Clara University Law School, Course, March 2006
Fair Credit Reporting Act.

Widener University Law School, Course, March 2006
Fair Credit Reporting Act.

United States Navy, Navy Legal Services, Norfolk, Virginia, April 2006
Auto Fraud;

2005

Missouri State Bar CLE, Oklahoma City, Oklahoma,
Fair Credit Reporting Act;

National Consumer Law Center, National Consumer Rights Conference, Boston, Mass.
Fair Credit Reporting Act Experts Panel; and
ABCs of the Fair Credit Reporting Act.

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*, New Orleans, Louisiana (May 2005),
Multiple Panels;

United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island,
Consumer Law.

2004

American Bar Association, Telephone Seminar;
Changing Faces of Consumer Law,

National Consumer Law Center, National Consumer Rights Conference, Boston, Mass.
Fair Credit Reporting Act Experts Panel; and
ABCs of the Fair Credit Reporting Act.

National Association of Consumer Advocates, *Fair Credit Reporting Act National Conference*,
Chicago, Illinois;
Multiple Panels

Oklahoma State Bar CLE, Oklahoma City, Oklahoma,
Identity Theft;

Virginia State Bar, Telephone Seminar,
Identity Theft;

United States Navy, Naval Justice School (JAG Training), Newport, Rhode Island,
Consumer Law

United States Navy, Navy Legal Services, Norfolk, Virginia,
Auto Fraud;

Virginia State Bar, Richmond and Fairfax, Virginia,
Consumer Protection Law;

Michigan State Bar, Consumer Law Section, Ann Arbor, Michigan;
Keynote Speaker.

8. I have substantial experience in complex litigation, including class action cases, prosecuted under the Consumer Credit Protection Statutes, including the Fair Credit Reporting Act. Such cases have included two of the three largest class results in FCRA litigation, *White/Hernandez v. Experian Information Solutions, Inc.*, et al (C.D. Ca.)(\$51 million class settlement against Equifax, Trans Union and Experian); *Williams v. Lexis Nexis Risk Management, Inc.* (E.D. Va.) (\$22 million settlement against Lexis Nexis Risk Management). I have also been lead counsel in numerous other FCRA class cases including class settlement classes recently approved in the Eastern District of Virginia. e.g. *Beverly v. Wal-Mart Stores, Inc.* (\$6.9 million cash settlement approved May 1, 2009). I have prosecuted and settled at least a dozen Fair Credit Reporting Act class cases. In each of these class cases the Court found me adequate class counsel and in each I was lead or executive committee counsel.

9. I have litigated in excess of 400 federal cases under the Fair Credit Reporting Act,

and in excess of 550 federal cases overall. As of the date of this Declaration, I have lost less than ten federal cases to a dispositive motion.

I declare under penalty of perjury of the laws of the United States that the foregoing is correct.

Signed this 13th day of September, 2010.



Leonard A. Bennett

LEONARD A. BENNETT
CONSUMER LITIGATION ASSOCIATES, P.C.
VSB #37523
12515 Warwick Boulevard, Suite 100
Newport News, Virginia 23606
(757) 930-3660
(757) 930-3662 facsimile